



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,641	08/19/2003	Kent A. Hellebust	6541-66109	5484
24197	7590	04/21/2006	EXAMINER	
KLARQUIST SPARKMAN, LLP			NGUYEN, NAM V	
121 SW SALMON STREET				
SUITE 1600			ART UNIT	
PORTLAND, OR 97204			2612	
			PAPER NUMBER	

DATE MAILED: 04/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/644,641	Applicant(s) HELLEBUST ET AL.	
	Examiner Nam V. Nguyen	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24,27-39,41 and 43-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 52 and 55 is/are allowed.
- 6) ☒ Claim(s) 24,27-39,41,43-51,53 and 54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2635

DETAILED ACTION

This communication is in response to applicant's Amendment filed December 19, 2005 by a request for continued examination which is filed February 10, 2006.

An amendment to the claims 24-27, 3740, 42 and 44 has been entered and made of record in the application of Hellebust et al. for a "filtered in-box for voice mail, e-mail, pages, web-based information, and faxes" filed August 19, 2003.

Claim 25-26, 40 and 42 are cancelled. The new set of claims 45-55 are introduced

Claims 24, 27-39, 41 and 43-55 are pending.

Response to Arguments

Applicant's amendment and arguments with respect to claims 24, 27-39, 41 and 43-44, filed December 19, 2005 have been fully considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

Art Unit: 2635

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 24, 27, 29-31, 33-39, 43-49, 51 and 53-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janow (US# 6,061,570) in view of Deluca et al. (US# 5,784,001).

Referring to claims 24, 37, 43-44 and 51 Janow discloses a wireless communication device (21) (i.e. a pager) (column 1 lines 43 to 63; see Figures 1 and 3), comprising:

a receiver (210) (i.e. a RF section) configured to receive a plurality of messages of a first format (10) (i.e. voice messaging) and a plurality of messages of a second format (20) (i.e. a paging system) (column 2 lines 30 to 40; see Figures 1 to 3); and

a memory (212) (i.e. a storage memory) configured to receive at least one message-classification rule (i.e. criteria) (column 2 lines 41 to 66; column 3 lines 4 to 21; see Figures 2 to 3);

a processor (211) (i.e. a digital processor) connected to the receiver (210) and to the memory (212), the processor (211) being configured to determine, based on the at least one input message-classification rule (i.e. criteria), classification information for the plurality of messages of the first format and the plurality of message of the second format (column 3 lines 22 to 29; see Figure 3);

a display (213) connected to the processor (211) and configured to present classification information (i.e. the message's originator or the message's type) associated with the messages of the first format (10) (i.e. voice messaging) and the second format (20) (i.e. a paging system) (column 2 lines 30 to 40; column 3 lines 4 to 21; see Figures 1 to 3).

Art Unit: 2635

However, Janow did not explicitly disclose a message-classification rule input into the memory by a user of the wireless communication device.

In the same field of endeavor of a wireless communication device, Deluca et al. teach that a message-classification rule (i.e. a code format or key words recognition) input into the memory (155) (i.e. a graphics database in ROM 135) by a user of the wireless communication device (100) (i.e. a data communication receiver) (column 5 line 66 to column 6 line 61; see Figures 1-2 and 13-23) in order to provide a convenient dissemination of programming information without requiring that each user bring his or her data communication receiver into a service center for individual reprogramming.

One of ordinary skilled in the art recognizes the need for the user of the data communication receiver programs code formats in the database taught by Deluca et al. in a multi-service notifier device of Janow because Janow suggests it is desired to provide that a multi-service notifier device able to receive plurality of message formats including telephone, internet messaging and e-mail messaging on a conventional telephone line and to analyze messages against plurality of criteria in a storage unit (column 2 line 9 to 20; column 3 line 4 to 21) and Deluca et al. teach that user has ability to program the code formats for display by a control unit (column 3 lines 1 to 17; column 5 line 67 to column 6 line 36) in order to have a flexibility of displaying incoming messages and easy to understand by the user. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to have the user of the data communication receiver programs code formats in the database taught by Deluca et al. in a multi-service notifier device of Janow with the motivation for doing

Art Unit: 2635

so would have been to provide a convenient dissemination of programming information by a user of a multi-service notifier device.

Referring to claim 27, Janow in view of Deluca et al. disclose a wireless communication device of claim 25, Janow discloses wherein the processor (211) is configured to produce updated classification information, and the display is configured to present the updated classification information (column 2 lines 41 to 66; column 3 lines 4 to 21; see Figures 2 to 3).

Referring to claim 29, Janow in view of Deluca et al. disclose a wireless communication device of claim 25, Janow discloses wherein the classification information includes information about an origin (i.e. the message's originator) of at least one received message (column 3 lines 14 to 21; see Figures 1 and 3).

Referring to claim 30, Janow in view of Deluca et al. disclose a wireless communication device of claim 24, Janow discloses wherein the receiver (21) is configured to receive a plurality of messages of a third format (11) (i.e. e-mail messages) (column 2 lines 8-40; see Figure 1).

Referring to claim 31, Janow in view of Deluca et al. disclose a wireless communication device of claim 24, Janow discloses where the first format is a voice mail format (10) (i.e. voice messaging) (column 2 lines 8 to 19; column 2 lines 30 to 40; see Figure 1).

Art Unit: 2635

Referring to claim 33, Janow in view of Deluca et al. disclose a wireless communication device of claim 24, Janow discloses where the first format is an e-mail format (11) (i.e. e-mail messaging) (column 2 lines 8 to 19; column 2 lines 30 to 40; see Figure 1).

Referring to claim 34, Janow in view of Deluca et al. disclose a wireless communication device of claim 24, Janow discloses where the first format is a paging format (20) (i.e. paging system) (column 2 lines 16 to 19; see Figure 1).

Referring to claim 35, Janow in view of Deluca et al. disclose a wireless communication device of claim 24, Janow discloses where the first format is a short message service format (30) (i.e. telephone service) (column 2 lines 8 to 19; see Figure 1).

Referring to claim 36, Janow in view of Deluca et al. disclose a wireless communication device of claim 24, Janow discloses where the first format is based on a Wireless Markup Language (13) (i.e. internet messaging) (column 2 lines 8-19; see Figure 1).

Referring to claim 38, Janow in view of Deluca et al. disclose a network device of claim 37, Deluca et al. disclose further comprising a transmitter (335) (i.e. transmitter of a terminal 305) configured to transmit the message classification (i.e. a radio signal with code) (column 5 lines 16 to 65; see Figures 11 and 12).

Art Unit: 2635

Referring to claim 39, Janow in view of Deluca et al. disclose a network device of claim 38, Deluca et al. disclose wherein the transmitter (335) (i.e. transmitter of a terminal 305) is configured to transmit the received message (i.e. a radio signal) to the wireless network user (i.e. a subscriber of the data communication receiver 100) (column 5 lines 16 to 65; see Figures 11 and 12) in order to provide information and to program the data communication receiver.

Referring to claims 45-47, Janow in view of Deluca et al. disclose a network device of claim 24, Deluca et al. disclose the codes and image data associated therewith can be programmed into the receiver 110 by the controls 140 over-the-air (column 3 lines 4 to 17). Therefore, the memory is configured to receive the at least one message rule by calling into a conventional interactive voice-response system in order to conveniently added to the database with new message classification.

Referring to claim 48, Janow in view of Deluca et al. disclose a wireless communication device of claim 24, Deluca et al. disclose where the at least one message rule facilitates searching of messages, incoming into the wireless communication device, for key words or phrases (column 6 lines 19 to 36; see Figures 14-15) in order to have an alternative of displaying incoming messages and to understand the incoming message quickly by graphical images.

Referring to claim 49, Janow in view of Deluca et al. disclose a wireless communication device of claim 24, Deluca et al. disclose where the at least one message rule facilitates classification of messages, incoming into the wireless communication device (100), based on one

Art Unit: 2635

or more of type of message (i.e. type of icon) at which message is received (column 6 line 62 to column 7 line 35; see Figures 18 to 23) in order to have an alternative of displaying incoming messages and to understand the incoming message quickly by graphical images.

Referring to claim 49, Janow in view of Deluca et al. disclose a wireless communication device of claim 24, Deluca et al. disclose wherein the memory (155) (i.e. a database of a data communication receiver 100) is further configured to receive the at least one message rule by the user calling into an interactive voice response system.

Referring to claim 53, Janow in view of Deluca et al. disclose a wireless communication device of claim 24, Janow discloses wherein the wireless device comprises the database memory (212) (i.e. storage memory) connected to the processor (211) (column 2 lines 55 to 59; see Figures 3-4).

Referring to claim 54, Janow in view of Deluca et al. disclose a wireless communication device of claim 24, Deluca et al. disclose further comprising a message memory (125) connected to the processor (120), wherein the processor stores, in the message memory (125), incoming messages organized according to the respective classification information determined by the processor (120) for the messages (column 2 lines 32 to 37; column 4 lines 25 to 32; see Figures 1 and 9).

Art Unit: 2635

Claims 28, 32, 41 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janow (US# 6,061,570) in view of Deluca et al. (US# 5,784,001) as applied to claims 24 and 37 above, and in view of Keyworth II et al. (US# 5,579,472).

Referring to claim 32, Janow in view of Deluca et al. discloses a wireless communication device of claim 24, however, Janow in view of Deluca et al. did not explicitly disclose wherein the first format is a fax format.

In the same field of endeavor of a wireless communication device, Keyworth II et al. teach that the first format (38) (i.e. fax mail) is a fax format (column 3 lines 46 to 54; column 5 line 46 to 54; see Figures 1 to 4) in order to receive and to display fax messages on the display from an external source.

One of ordinary skilled in the art recognizes the need to add a fax format in an exemplary apparatus of Keyworth II et al. in a multi-service notifier device of Janow in view of Deluca et al. because Janow suggests it is desired to provide that a multi-service notifier device able to receive plurality of message formats including telephone, internet messaging and e-mail messaging on a conventional telephone line (column 2 line 9 to 20; see Figure 1) and Keyworth II et al. teach that an apparatus able to receive a fax on a modem or a wireless receiver from a telephone jack (column 5 lines 47 to 54) in order to have a successful communication and display for reviewing new messages. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to add a fax format in an exemplary apparatus of Keyworth, II et al. in a multi-service notifier device of Janow in view of Deluca et

Art Unit: 2635

al. with the motivation for doing so would have been to provide an additional service of a multi-service notifier device.

Referring to claims 28 and 41, Janow in view of Deluca et al. disclose a wireless communication device of claims 24 and 37, however, Janow in view of Deluca et al. did not explicitly disclose wherein the processor is configured to produce an updated message count associated with the message classification.

In the same field of endeavor of a wireless communication device, Keyworth II et al. teach that the processor (21) is configured to produce an updated message count (50e) (i.e. updated status of number incoming messages) associated with the message classification (i.e. type) (column 4 lines 31 to 41; see Figures 1-3) in order to notify the user how many incoming messages received from each individual.

One of ordinary skilled in the art recognizes the need to add a counter to updated message received taught by Keyworth II et al. in a multi-service notifier device of Janow because Janow suggests it is desired to provide that a multi-service notifier device able to receive plurality of message formats including telephone, internet messaging and e-mail messaging on a conventional telephone line (column 2 line 9 to 20; see Figure 1) and Keyworth II et al. teach that an apparatus able to display the number of new messaged received (column 4 lines 31 to 41) in order to have a successful communication and display for reviewing new messages. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to add a counter to updated message received taught by Keyworth II et al. in

Art Unit: 2635

a multi-service notifier device of Janow with the motivation for doing so would have been to provide an additional service of a multi-service notifier device.

Referring to claim 50, Janow in view of Deluca et al. disclose a wireless communication device of claim 24, Keyworth II et al. disclose wherein the at least one message rule facilitates grouping of messages, incoming into the wireless communication device, based on a nested category (i.e. type of incoming messages) (column 5 line 38 to column 6 line 9; see Figures 3-4) in order for display each message according to each type of incoming messages.

Allowable Subject Matter

Claims 52 and 55 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Referring to claim 52, the following is a statement of reasons for the indication of allowable subject matter: the prior art fail to suggest limitations wherein the database memory is associated with the wireless infrastructure at a location separate from the wireless device.

Referring to claim 55, the following is a statement of reasons for the indication of allowable subject matter: the prior art fail to suggest limitations wherein the processor is further configured to: update the display to reflect receipt of the message, determine, based on the

Art Unit: 2635

classification information determined for the received message and according to the at least one message-classification rule, whether the received message is of sufficient priority, and if the message is of sufficient priority, alert the user.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 571-272-3061. The examiner can normally be reached on Mon-Fri, 8:30AM - 5:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 571- 272-7308. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

Art Unit: 2635

applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nam Nguyen
April 17, 2006



WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2500